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Application No. : 2,320,647
Owner : FREUDENBERG-NOK, GENERAL PARTNERSHIP
Title : GASKET
Classification : F16J 15/10 (2006.01)
Your File No. : 26471
Examiner : Mark Janczarski, P. Eng.

YOU ARE HEREBY NOTIFIED OF A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*. IN ORDER TO AVOID ABANDONMENT UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY MUST BE RECEIVED WITHIN 6 MONTHS AFTER THE ABOVE DATE.

This application has been examined as originally filed.

The number of claims in this application is 39.

The examiner has identified the following defects in the application:

The search of the prior art has revealed the following:

References Applied:

United States Patents

3930656	Jan. 6, 1976	277/180	Jelinek
4768684	Sept. 6, 1988	222/542	Dugge
5938246	Aug. 17, 1999	285/351	Wallace et al.

Jelinek discloses a thin gasket for multipurpose use. On Figures 7 to 9 an embodiment of multi-compartment gasket is shown. Jelinek discusses use of gasket in thin applications such as headgaskets. The gasket comprises a sheetmetal rigid plate with corrugations providing stopper members. An elastomeric material having an apex as shown on Figure 5 or 9 in uncompressed stage is located in depressions. In compressed stage the elastomeric material conforms to a straight line of external compressing surfaces.

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Dugge discloses a gasket for a hopper. The gasket in embodiment shown on Figure 3 is integral part of the hopper frame comprises a flat frame member 9 with two stopper members 12 and 34 and an elastomeric seal located in a cavity 33, the seal having apexes 41. Figures 4 and 5 show and independent gasket ring where elastomeric seals 67 and 65 are compressible to a straight line surfaces 53 and 55 defined between stopper members.

Wallace et al. disclose a static gasket as shown on figure 7 having metallic carrier member 280 having non-compressible surfaces, the surfaces being defined by two stopper members on each side of the gasket, and elastomeric orings inside grooves 282 and 284. Orings have top portions (apexes) extending above the gasket surfaces. The orings are compressible to conform to the flat shape of the gasket in compressed state.

The claims on file do not comply with paragraph 28.2(1)(b) of the *Patent Act* because these claims include subject matter known as general knowledge represented by exemplary disclosures of Jelinek or Dugge or Wallace et al. before the claim date.

The construction of a thin gasket with compressible elastomeric beads is well known in the art. The above documents represent all the features of independent claims on file. Various shapes of compressible beads as well as various volumetric ratio between elastomeric beads and grooves in which the beads are located is also disclosed. Different composition of elastomeric beads are well known. The dimensional restrictions of the thickness are of a design nature. Range of thickness defined in claims does not correspond with specific unexpected and patentable features of the gasket performance which exist only within the specified range and do not exist outside of this range.

In view of the foregoing defects, the applicant is requisitioned, under subsection 30(2) of the *Patent Rules*, to amend the application in order to comply with the *Patent Act* and the *Patent Rules* or to provide arguments as to why the application does comply.

Mark Janczarski, P. Eng.
Patent Examiner
819-953-8842